

Application No.: 10/538,407
Response under 37 CFR 1.116
Reply to Office Action dated October 18, 2007
January 18, 2008

REMARKS

Currently, claims 3-13 and 24-26 are pending in the application. The indication that claims 24 and 26 contain allowable subject matter is noted with appreciation.

Claims 3-7, 9, 11 and 25 were rejected under 35 USC 103(a) as being obvious over Dwilinski et al. (U.S. Patent Application Publication No. 2004/0238810) in view of Anselm et al. (U.S. Patent No. 6,265,322). Claim 8 was rejected under 35 USC 103(a) as being obvious over Dwilinski et al. ('810) in view of Anselm et al. and further in view of Hong et al. (U.S. Patent No. 6,177,292). Claim 10 was rejected under 35 USC 103(a) as being obvious over Dwilinski et al. ('810) in view of Anselm et al. and further in view of Tsutsui et al. (U.S. Patent No. 6,248,607). Claims 12-13 were rejected under 35 USC 103(a) as being obvious over Dwilinski et al. ('810) in view of Anselm et al. and further in view of Otsuka et al. (U.S. Patent No. 6,749,819).

These rejections are respectfully traversed for the following reasons.

Applicants hereby submit English translations of applicants' priority applications (Polish Patent Application Nos. P-357696, P-357707, P-357708 and P-357709). These translations prove the

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support in the priority application and therefore applicants are entitled to the December 11, 2002 priority date. This priority date is earlier than the publication date of Dwilinski et al.

('810) which is December 2, 2004. Since the International Publication of the invention set forth in Dwilinski et al. ('810) was published in Japanese, and not in English, both the Polish application filing date (June 26, 2002) and the International application filing date (October 28, 2002) of Dwilinski et al. ('810) cannot be used by the Examiner. MPEP

706.02(f)(1)(I)(C)(2). Therefore, applicants respectfully request the Examiner to withdraw these rejections in view of this submission.

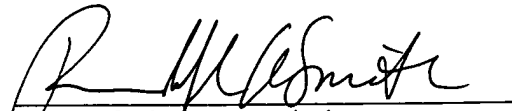
Therefore, in view of foregoing amendments and remarks, it is respectfully submitted that claims 3-13 and 24-26 are allowable over the prior art of record. Thus, applicants respectfully submit that the application is now in condition for allowance and an action to this effect is respectfully requested.

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If there are any questions or concerns regarding the amendments or these remarks, the Examiner is requested to telephone the undersigned at the telephone number listed below.

Respectfully submitted,

Date: January 18, 2008


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